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New York Amends Dangerous Green Light Law to Cooperate with Federal Law Enforcement on DMV Records

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WASHINGTON – Today, the Department of Homeland Security announced it will lift its ban on the Trusted Traveler Program (TTP) for New York residents. After DHS cut off the TTP program in February, Governor Andrew Cuomo and the state legislature amended the law that prevents sharing of information to federal law enforcement officers who are working to protect the citizens of New York and the American people.

New York amended the Green Light Law to expressly allow for information-sharing of NY DMV records “as necessary for an individual seeking acceptance into a trusted traveler program, or to facilitate vehicle imports and/or exports.”^[1] (#_ftn1).

Unfortunately, New York State continues to restrict sharing DMV information with U.S. Customs and Border Protection (CBP) and U.S. Immigration and Customs Enforcement (ICE) for other enforcement efforts. The State further recently created new criminal penalties for individuals or entities, including law enforcement officials, who share such information with CBP and ICE. DHS is currently working with the Department of Justice to determine appropriate legal actions to address these problems.

“We appreciate the information sharing to CBP for the trusted travel program, which enables DHS to move forward and begin once again processing New York residents under the Trusted Travel Program. Nonetheless, local New York law continues to maintain provisions that undermine the security of the American people and purport to criminalize information sharing between law enforcement entities,” Acting Secretary Wolf continued.

“The Green Light Law ultimately undermines the efforts of law enforcement officers, criminalizing their mission to secure the nation and the American people from threats and furthering the risk to their own lives. When jurisdictions like New York fail to cooperate with federal authorities, they operate more like refuges from criminal behavior, not sanctuary havens.”

Blocking federal law enforcement officers from accessing DMV records creates a significant threat to both public safety and officer safety. The data provided by state officials is vital to identify foreign terrorist connections and build criminal cases and identify criminal suspects including gang members, sex offenders, drug smugglers and others.

The clear lesson from the horrific attacks on September 11—leading Congress to create DHS to protect against future such attacks—was that information sharing is vital to our security. DHS was created to make it possible to share information between local, state and federal law enforcement and work together to secure the Homeland and protect our communities and the American people.

[1].(^{# ftnref1}) N.Y. Senate Bill 7508B, 2019 – 2020 Leg. Session, Pt. YYY (enacted April 3, 2020).

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